

# Agenda

## Item #4

**Expenditures for Promotional items –  
Paige Brown**



STATE OF MAINE  
COMMISSION ON GOVERNMENTAL ETHICS  
AND ELECTION PRACTICES  
135 STATE HOUSE STATION  
AUGUSTA, MAINE  
04333-0135

To: Commissioners  
From: Jonathan Wayne, Executive Director  
Date: December 18, 2015  
Re: Purchases of Promotional Items by House Candidate Paige Brown

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### Introduction

This memo discusses options for addressing some higher value promotional items purchased with Maine Clean Election Act funds by 2014 House candidate Paige Brown:

Items	Per Unit Price	Total
25 Sweatshirts	\$26.44 each	\$661
80 Aluminum water bottles	\$7.50 each	\$600
	<b>Total</b>	<b>\$1,261</b>

The Commission staff became aware of these purchases during the staff's routine compliance review of Ms. Brown's reports. In the staff's view, Ms. Brown did not take any action that was self-enriching or dishonest. Unfortunately, it appears that Ms. Brown did not read the basic spending restrictions of the program, which are embodied in a two-page document, the 2014 MCEA Expenditure Guidelines.<sup>1</sup> The Guidelines contain the following paragraph concerning promotional items.

Candidates may spend MCEA funds for inexpensive items to promote their candidacies or to gain visibility at public events, such as buttons, baseball caps, t-shirts, or candy to be distributed at parades and fairs. Spending MCEA funds on more expensive items, such as sweatshirts, fleeces, or coolers, is not permitted.

(underlining added) The Commission is required by statute to adopt guidelines on "permissible campaign-related expenditures" (underlining added). The current Guidelines are written to reassure taxpayers that public campaign funds will not be spent in ways that are wasteful or frivolous, personal, or for political purposes apart from the candidate's campaign.

At a meeting on December 12, 2013, the Commissioners adopted the 2014 MCEA Expenditure Guidelines. The Commission staff proposed the paragraph on promotional items in order to address some purchases by a candidate in 2012 that we found had the potential to appear wasteful to the public. The candidate ordered coolers, sweatshirts, bags, mugs and can coozies (styrofoam covers for cans used for marketing).

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<sup>1</sup> The Guidelines are attached. The most relevant sections are noted with checkmarks.

The staff's view is that once the State is involved in funding political campaigns, it is prudent for the Commission to set reasonable limits on how candidates may use public funds to campaign. Otherwise, if the public sees expenditures that are wasteful, frivolous, self-enriching, or used for causes other than the candidate's campaign, it will reduce public confidence in the program. We also appreciate, however, that the Commission does not want to micro-manage candidates' campaigns.

### **Paige Brown's Campaign**

Paige Brown is a first-time candidate who ran as the Green-Independent nominee for the Maine House of Representatives, District 97 (Belfast). Her opponent was the incumbent, Democratic candidate Erin Herbig. As she explains in a letter to the Commission, one part of her campaign platform was environmental awareness. She says that she did not want to publicize her campaign through communications that had no recyclable use. In order to publicize her campaign, she purchased t-shirts, baseball caps, pens, reusable grocery bags, metal water bottles and sweatshirts with the message:

Go Green!  
Vote Paige K Brown D-97  
2014

The following table summarizes Ms. Brown's financial activities for 2014:

Seed money collected	\$500.00
MCEA Payments	\$5,209.75
Expenditures	-\$3,311.85
Returned MCEA Funds	-\$2,397.90
Cash balance	\$0.00

Seventy-three percent (73%) of her campaign's purchases were for promotional items (other items purchased were pens, reusable grocery bags, baseball caps, t-shirts, and tank tops). She returned 46% of the MCEA funds she received.

### **Applicable Law**

#### *Restrictions in Maine Clean Election Act*

Under the MCEA, candidates may spend public campaign funds for "campaign-related purposes." The MCEA directs the Commission to publish guidelines outlining permissible campaign-related expenditures:

After certification, a candidate must limit the candidate's campaign expenditures and obligations, including outstanding obligations, to the revenues distributed to the candidate from the fund and may not accept any contributions unless specifically authorized by the commission. Candidates may also accept and spend interest earned on fund revenues in

campaign bank accounts. All revenues distributed to a certified candidate from the fund must be used for campaign-related purposes... The commission shall publish guidelines outlining permissible campaign-related expenditures.

(21-A M.R.S.A. § 1125(6) (underlining added, statute is attached)

### *Commission Rule Referencing Guidelines*

Chapter 3, Section 6(3) of the Commission's Rules requires candidates to use MCEA funds "only for campaign-related purposes as outlined in the guidelines published by the Commission, and not for personal or any other use ...." (The entire rule is attached. )

### *2014 Expenditure Guidelines*

The Commission's 2014 MCEA Expenditure Guidelines can be found on pages 30-31 of the 2014 MCEA Candidate's Guide. They are posted on the Commission's website, and were included in the forms packet that the Commission distributed to prospective MCEA candidates. The following provisions are relevant:

Candidates must spend Maine Clean Election Act (MCEA) funds for campaign-related purposes and not for other purposes such as the candidate's personal benefit, party-building, or to promote another candidate's campaign.

### PERMISSIBLE CAMPAIGN-RELATED EXPENDITURES

Expenditures for "campaign-related purposes" are those which are traditionally accepted as necessary to promote the election of a candidate to political office. Candidates using MCEA funds must also take into account the public nature of the funds, the underlying objectives of the MCEA, and the reasonableness of the expenditures under the circumstances.

In Maine, traditional campaign expenses have included: ... [c]ampaign communications such as signs, bumper stickers, T-shirts, or caps with campaign slogan, etc.

...

### PROMOTIONAL ITEMS

Candidates may spend MCEA funds for inexpensive items to promote their candidacies or to gain visibility at public events, such as buttons, baseball caps, t-shirts, or candy to be distributed at parades and fairs. Spending MCEA funds on more expensive items, such as sweatshirts, fleeces, or coolers, is not permitted. (Underlining added)

### *Penalties and Repayments*

If a candidate violates the Commission's rules, the Commission may require the candidate to return all amounts received by the candidate or any funds not used for campaign-related purposes. The Commission may assess a penalty of up to \$10,000 for any violation of the MCEA. (21-A M.R.S.A. § 1127(1))

### **Purchases at Issue**

On September 24, 2014, Ms. Brown made three purchases from Custom Ink, an online seller of marketing goods. Invoices and product pictures are attached for the relevant purchases.

- Ms. Brown paid a total of \$986 for 25 crewneck sweatshirts, 24 tank tops, and 17 t-shirts. She has stated the cost of the sweatshirts alone was \$661 (25 x \$26.44 per sweatshirt).
- She purchased 80 aluminum water bottles at a unit price of \$7.50 per bottle, for a total of \$600.

### **Staff Recommendation**

We are referring this matter to you to take whatever action you believe is fair under the circumstances. We believe some monetary consequence (either a full or partial repayment, or penalty) would be appropriate and we propose some alternatives below.

#### Finding that Purchase(s) Were Outside Guidelines

The staff recommends that you find that the sweatshirts and, potentially, the aluminum water bottles are outside the Commission's 2014 Expenditure Guidelines.

*Sweatshirts.* Ms. Brown paid \$661 for sweatshirts. The Guidelines specifically state that spending MCEA funds on more expensive items such as sweatshirts is not permitted.

*Aluminum water bottles.* Ms. Paige bought 80 metal water bottles at \$7.50 each, for a total of \$600. The Commission staff believes these items may be outside the 2014 Guidelines because

- At \$7.50 apiece, aluminum water bottles are not "inexpensive items." (Plastic water bottles were available from Custom Ink at \$2.79 each.)
- Because they can be worn in a highly visible way, T-shirts and caps are commonly used to promote causes or events. They can attract attention at a single event, such as a parade, or over time if worn on multiple occasions in public places. Water bottles are more of a personal item and are less effective at gaining visibility for candidates relative to apparel.

### Penalty or Repayment

The Commission staff recommends that the Commission impose some monetary consequence for the purchase(s) that fall outside the Commission's Guidelines. For your consideration, we propose three alternatives:

- assess a penalty of \$250 for violating Chapter 3, Section 6(3) of the Commission's Rules, pursuant to 21-A M.R.S.A. § 1127(1)
- require Ms. Brown to repay \$661 (the cost of the sweatshirts), pursuant to 21-A M.R.S.A. § 1127(1)
- require Ms. Brown to repay \$1,261 (the cost of the sweatshirts and the water bottles), pursuant to 21-A M.R.S.A. § 1127(1).

The staff is available to work out payment plan with Ms. Brown, if necessary. Thank you for your consideration of this memo.



## 2014 EXPENDITURE GUIDELINES

### For Maine Clean Election Act Candidates

Candidates must spend Maine Clean Election Act (MCEA) funds for campaign-related purposes and not for other purposes such as the candidate's personal benefit, party-building, or to promote another candidate's campaign.

#### PERMISSIBLE CAMPAIGN-RELATED EXPENDITURES

Expenditures for "campaign-related purposes" are those which are traditionally accepted as necessary to promote the election of a candidate to political office. Candidates using MCEA funds must also take into account the public nature of the funds, the underlying objectives of the MCEA, and the reasonableness of the expenditures under the circumstances. In Maine, traditional campaign expenses have included:

- Political advertising expenses
- Campaign communications such as signs, bumper stickers, T-shirts, or caps with campaign slogans, etc.
- Campaign events (e.g., invitations, food, tent or hall rental, etc.)
- Printing and mailing costs
- Office supplies
- Campaign staff expenses
- An entry fee for an event organized by a party committee, charity, or community organization or an ad in an event publication, as long as the expenditure benefits the candidate's campaign.
- Campaign travel expenses, such as fuel and tolls

#### PROHIBITED EXPENDITURES

Candidates may not use MCEA funds for personal expenses. This means candidates may not borrow from or use MCEA funds for personal or other non-campaign expenses, even if temporarily and with the intention of repaying the funds. Personal expenses are for goods and services that the candidate would otherwise purchase independently of the campaign, such as:

- Day-to-day household expenses and supplies
- Mortgage, rent, or utility payments for the candidate's personal residence, even if part of the residence is being used by the campaign
- Vehicle repair and maintenance
- Non-campaign transportation expenses
- Clothing, including attire for political functions such as business suits or shoes

#### Maine Clean Election Act funds may not be spent to:

- pay a consultant, vendor, or campaign staff for anything other than campaign goods or services
- compensate the candidate for services provided by the candidate
- make independent expenditures supporting or opposing any candidate, ballot question, or political committee
- assist in any way the campaign of any candidate other than the candidate for whom the funds were originally designated
- contribute to another candidate, a political committee, or a party committee other than in exchange for goods and services
- make a donation to a charity or a community organization, other than in exchange for campaign goods or services
- promote political or social positions or causes other than the candidate's campaign
- make a thank-you gift (including a gift card) to a volunteer or supporter
- pay civil penalties, fines, or forfeitures to the Commission, or defend the candidate in enforcement proceedings brought by the Commission
- assist the candidate in an election recount

<b>Salary and compensation</b>	Candidates may use MCEA funds to pay for campaign-related services by staff or consultants, provided that compensation is made at or below fair market value and sufficient records are maintained to show what services were received. Documentation must include a description of the labor performed by the staff member or consultant, and an itemization of any goods or services purchased from other vendors including date, vendor, and amount.
<b>Property and equipment</b>	Goods purchased with MCEA funds for \$50 or more that could be converted to personal use after the campaign (e.g., computers, fax machines, and cell phones) must be sold at fair market value and the proceeds returned to the Maine Clean Election Fund no later than 42 days after the final report for the campaign. If the campaign sells the property or equipment to the candidate or a member of the candidate's immediate family or campaign staff, the campaign must receive at least 75% of the original purchase price paid by the campaign. Candidates are welcome to lease electronic and other equipment.
<b>Unnecessary goods</b>	Legislative candidates may not spend MCEA funds for goods not typically necessary for a House or Senate campaign, such as office furniture, a brief case, or large storage items. If you are unsure whether an item you wish to purchase is within this category, please call the Ethics Commission for guidance.
✓ <b>Promotional items</b>	Candidates may spend MCEA funds for inexpensive items to promote their candidacies or to gain visibility at public events, such as buttons, baseball caps, t-shirts, or candy to be distributed at parades and fairs. Spending MCEA funds on more expensive items, such as sweatshirts, fleeces, or coolers, is not permitted.
<b>Office supplies</b>	Candidates may spend MCEA funds for office supplies that they reasonably anticipate will be used for campaign purposes only. MCEA funds may not be spent for office supplies to be used for constituent communications or for other expenses associated with service as a public official. The Commission may require candidates to repay their campaign for any office supplies with a value of \$50 or more that were not used for campaign purposes or were used minimally for campaign purposes.
<b>Food</b>	Candidates may spend a reasonable amount of MCEA funds on food for campaign events or to feed volunteers while they are working, but must take into account the public nature of MCEA funding. Legislative candidates may not use MCEA funds to purchase food that is consumed <i>only</i> by the candidate and/or members of the candidate's immediate family. Generally, reasonable amounts for food should not exceed \$5 per person for breakfast, \$10 per person for lunch, and \$20 per person for dinner. If candidates wish to spend greater amounts per person for food, the Commission recommends that the candidate contact the Commission staff for guidance.
<b>Lodging</b>	Candidates may use MCEA funds to pay for lodging if necessary for campaign purposes, but must keep lodging expenses reasonable and may not exceed the lodging rates approved by the Office of State Controller for state employees conducting travel for state business. MCEA candidates may use personal funds for lodging, provided that they are not reimbursed by others.
<b>Car travel</b>	MCEA campaigns may reimburse the candidate or campaign workers for their car travel, as long as the person reimbursed has kept a <i>contemporaneous</i> travel log. For 2014, the campaign may make a travel reimbursement up to the number of miles traveled as reported in the log multiplied by \$0.44. Campaigns must keep the travel logs for three years, and provide them to the Commission if requested. Candidates and their spouses or domestic partners may spend any amount of their personal funds for campaign travel without seeking reimbursement. Other individuals may spend up to \$350 of their personal funds to pay for travel without making a contribution to the campaign.
<b>Campaign training</b>	Candidates may use MCEA funds for tuition or registration costs for campaign or policy issues training.
<b>Ballot questions</b>	Candidates may state their position with respect to a ballot question in a communication financed with MCEA funds. Candidates may not use MCEA funds for a paid communication that primarily supports or opposes a referendum or citizen initiative.
<b>Post-election notes and parties</b>	Candidates may spend up to the following maximum amounts of MCEA funds on post-election parties, thank you notes, or advertising to thank supporters or voters: \$250 for State Representative candidates, \$750 for State Senate candidates, and \$2,500 for candidates for Governor. Candidates may also use personal funds for these purposes.



H. Otherwise substantially violated the provisions of this chapter or chapter 13; or

I. As a gubernatorial candidate, failed to properly report seed money contributions as required by this section.

The determination to revoke the certification of a candidate must be made by a vote of the members of the commission after an opportunity for a hearing. A candidate whose certification is revoked shall return all unspent funds to the commission within 3 days of the commission's decision and may be required to return all funds distributed to the candidate. In addition to the requirement to return funds, the candidate may be subject to a civil penalty under section 1127. The candidate may appeal the commission's decision to revoke certification in the same manner provided in subsection 14, paragraph C.

**5-B. Restrictions on serving as treasurer.** A participating or certified candidate may not serve as a treasurer or deputy treasurer for that candidate's campaign, except that the candidate may serve as treasurer or deputy treasurer for up to 14 days after declaring an intention to qualify for campaign financing under this chapter until the candidate identifies another person to serve as treasurer.

**6. Restrictions on contributions and expenditures for certified candidates.** After certification, a candidate must limit the candidate's campaign expenditures and obligations, including outstanding obligations, to the revenues distributed to the candidate from the fund and may not accept any contributions unless specifically authorized by the commission. Candidates may also accept and spend interest earned on fund revenues in campaign bank accounts. All revenues distributed to a certified candidate from the fund must be used for campaign-related purposes. The candidate, the treasurer, the candidate's committee authorized pursuant to section 1013-A, subsection 1 or any agent of the candidate and committee may not use these revenues for any but campaign-related purposes. The commission shall publish guidelines outlining permissible campaign-related expenditures.

**6-A. Assisting a person to become an opponent.** A candidate or a person who later becomes a candidate and who is seeking certification under subsection 5, or an agent of that candidate, may not assist another person in qualifying as a candidate for the same office if such a candidacy would result in the distribution of revenues under subsections 7 and 8-A for certified candidates in a contested election.

**6-B. (REPEALED)**

**6-C. Expenditures to the candidate or family or household members.** Expenditures to the candidate or immediate family member or household member of the candidate are governed by this subsection.

A. The candidate may not use fund revenues to compensate the candidate or a sole proprietorship of the candidate for campaign-related services.

B. A candidate may not make expenditures using fund revenues to pay a member of the candidate's immediate family or household, a business entity in which the candidate or a member of the candidate's immediate family or household holds a significant proprietary or financial interest or a nonprofit entity in which the candidate or a member of the candidate's immediate family or household is a director, officer, executive director or chief financial officer, unless the expenditure is made:

(1) For a legitimate campaign-related purpose;

candidate whose certification is the subject of the appeal, or in response to the request of either party upon a showing of good cause. The appellant has the burden of proving that the certification decision was in error as a matter of law or was based on factual error. The commission must rule on the appeal within 5 business days after the completion of the hearing.

C. A challenger may appeal the decision of the commission in paragraph B by commencing an action in Superior Court within 5 days of the date of the commission's decision. The action must be conducted in accordance with Rule 80C of the Maine Rules of Civil Procedure, except that the court shall issue its written decision within 20 days of the date of the commission's decision. Any aggrieved party may appeal the decision of the Superior Court by filing a notice of appeal within 3 days of that decision. The record on appeal must be transmitted to the Law Court within 3 days after the notice of appeal is filed. After filing the notice of appeal, the parties have 4 days to file briefs and appendices with the clerk of the court. The court shall consider the case as soon as possible after the record and briefs have been filed and shall issue its decision within 14 days of the decision of the Superior Court.

D. A candidate whose certification as a Maine Clean Election Act candidate is reversed on appeal must return to the commission any unspent revenues distributed from the fund. If the commission or court finds that an appeal was made frivolously or to cause delay or hardship, the commission or court may require the moving party to pay costs of the commission, court and opposing parties, if any.

#### **21-A § 1126. Commission to adopt rules**

The commission shall adopt rules to ensure effective administration of this chapter. These rules must include but must not be limited to procedures for obtaining qualifying contributions, certification as a Maine Clean Election Act candidate, circumstances involving special elections, vacancies, recounts, withdrawals or replacements, collection of revenues for the fund, distribution of fund revenue to certified candidates, return of unspent fund disbursements, disposition of equipment purchased with clean election funds and compliance with the Maine Clean Election Act. Rules of the commission required by this section are major, substantive rules as defined in Title 5, chapter 375, subchapter II-A.

#### **21-A § 1127. Violations**

✓ 1. **Civil fine.** In addition to any other penalties that may be applicable, a person who violates any provision of this chapter or rules of the commission adopted pursuant to section 1126 is subject to a fine not to exceed \$10,000 per violation payable to the fund. In addition to any fine, for good cause shown, a candidate, treasurer, consultant or other agent of the candidate or the political committee authorized by the candidate pursuant to section 1013-A, subsection 1, found in violation of this chapter or rules of the commission may be required to return to the fund all amounts distributed to the candidate from the fund or any funds not used for campaign-related purposes. If the commission makes a determination that a violation of this chapter or rules of the commission has occurred, the commission shall assess a fine or transmit the finding to the Attorney General for prosecution. A final determination by the commission may be appealed to Superior Court in accordance with Title 5, chapter 375, subchapter 7 and the Maine Rules of Civil Procedure, Rule 80C. Fines assessed or orders for

return of funds issued by the commission pursuant to this subsection that are not paid in full within 30 days after issuance of a notice of the final determination may be enforced in accordance with section 1004-B. Fines paid under this section must be deposited in the fund. In determining whether or not a candidate is in violation of the expenditure limits of this chapter, the commission may consider as a mitigating factor any circumstances out of the candidate's control.

**2. Class E crime.** A person who willfully or knowingly violates this chapter or rules of the commission or who willfully or knowingly makes a false statement in any report required by this chapter commits a Class E crime and, if certified as a Maine Clean Election Act candidate, must return to the fund all amounts distributed to the candidate.

#### **21-A § 1128. Study report**

By March 15, 2011, and every 4 years after that date, the commission shall prepare for the joint standing committee of the Legislature having jurisdiction over legal affairs a report documenting, evaluating and making recommendations relating to the administration, implementation and enforcement of the Maine Clean Election Act and Maine Clean Election Fund.

**Chapter 3: MAINE CLEAN ELECTION ACT AND RELATED PROVISIONS**

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**SECTION 1. APPLICABILITY**

This chapter applies to candidates running for Governor, State Senator and State Representative who choose the alternative campaign financing option established by the Maine Clean Election Act for elections to be held beginning in the year 2000. Candidates participating in the Maine Clean Election Act must comply with these rules and all other applicable election and campaign laws and regulations. Some sections in this chapter also apply to and impose obligations on privately financed candidates and political committees that raise contributions and make expenditures in races involving Maine Clean Election Act candidates.

**SECTION 2. PROCEDURES FOR PARTICIPATION**

1. **Declaration of Intent.** A participating candidate must file a Declaration of Intent within five days of collecting qualifying contributions. The Commission will provide a form for this purpose.
2. **Content.** The Declaration of Intent must include the following information:
  - A. an affirmation that the candidate is seeking certification as a Maine Clean Election Act candidate;
  - B. an affirmation that the candidate understands that any qualifying contributions collected more than five days before filing the Declaration of Intent will not be counted toward the eligibility requirement;
  - C. an affirmation that the candidate has not accepted any contributions, except for seed money contributions, after becoming a candidate;
  - D. an affirmation that the candidate has disposed of any campaign surplus before becoming a candidate for the new election, as required by paragraph 3.C [Campaign Surplus] of this section;
  - E. an affirmation that if the candidate has any campaign deficit, that the candidate will not accept contributions to repay that deficit as a participating candidate or certified candidate, except that the candidate may forgive any campaign loans to himself or herself made during any previous campaigns;
  - F. an affirmation that the candidate will continue to comply with applicable seed money restrictions and other requirements of the Act including, but not limited to, procedures for collecting qualifying contributions;
  - G. an affirmation that the candidate has read and will comply with the Commission's guidelines on permissible expenditures; and

## SECTION 6. LIMITATIONS ON CAMPAIGN EXPENSES

A certified candidate must:

1. limit the candidate's campaign expenditures and obligations to the applicable Clean Election Act Fund distribution amounts;
2. not accept any contributions unless specifically authorized in writing to do so by the Commission in accordance with the Act [§1125(2) and §1125(13)];
- ✓ 3. use revenues distributed from the Fund only for campaign-related purposes as outlined in guidelines published by the Commission, and not for personal or any other use;
4. not use revenues distributed from the Fund to purchase goods to sell for profit;
5. not spend more than the following amounts of Fund revenues on post-election parties, thank you notes, or advertising to thank supporters or voters:
  - A. \$250 for a candidate for the State House of Representatives;
  - B. \$750 for a candidate for the State Senate; and
  - C. \$2,500 by a gubernatorial candidate.

The candidate may also use his or her personal funds for these purposes; and

6. not use revenues distributed from the Fund for the payment of fines, forfeitures, or civil penalties, or for the defense of any enforcement action of the Commission.

## SECTION 7. RECORD KEEPING AND REPORTING

1. **Record Keeping by Participating and Certified Candidates.** Participating and certified candidates and their treasurers must comply with applicable record keeping requirements set forth in Title 21-A, chapter 13, subchapter II [§1016], and chapter 14 [§1125(12-A)]. Failure to keep or produce the records required under Title 21-A and these rules is a violation of the Act for which the Commission may impose a penalty. The Commission may also require the return of funds for expenditures lacking supporting documentation if a candidate or treasurer is found in violation of the record keeping requirements. The candidate or the treasurer shall have an opportunity to be heard prior to any Commission decision imposing a penalty or requiring the return of funds under this section. In addition to these specific actions, the Commission may also take any other action authorized under Title 21-A.
  - A. **Fiduciary Responsibility for Funds.** All funds provided to a certified candidate or to a candidate's authorized political committee must be segregated from, and may not be commingled with, any other funds, other than unspent seed money.
  - B. **Meal Expenses.** A candidate or treasurer must obtain and keep a record for each meal expenditure of more than \$50. The record must include itemized bills for the meals, the names of all participants in the meals, the relationship of each participant to the campaign, and the specific, campaign-related purpose of each meal.

11/25/14

To:  
Ethics Commission  
From:  
Paige K Brown  
22 Atlantic Avenue  
Apartment #1  
Beverly, MA  
01915

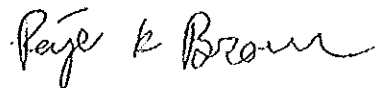


Dear Commission,

In response to *Letter Regarding Purchase of Promotional Items*, I would like first to relay my upmost respect and regard for the MCEA. I chose to be a MCEA candidate because I firmly believe in clean elections. I have never been suspect of unethical behavior in my entire life. My decision to be a MCEA candidate displays my ethical beliefs fairly. A large part of my platform as a citizen candidate for House D-97 was to ensure the future of our environment for my community, as well as our country as a whole. I felt I would be dishonorable to my campaign by purchasing items that have no reusable use. I chose to purchase reusable shopping bags, pens made from recyclable materials, reusable water bottles, t-shirts, caps and sweatshirts, all displaying clearly my campaign information. "Go Green! Vote Paige K Brown D-97 2014". I chose for these items to be physical examples resulting in exposure and to complement my platform. I chose not to use MCEA funds for items such as yard signs that typically are made from plastic and sometimes non-environmentally friendly paint and other materials, as well as buttons that have no real use after the campaign. I believe my choices made me stand out from the other candidates, which is a strategy to gain votes. I felt that the best exposure is word of mouth. When someone notices one of the items, it is cause for conversation and my supporters then have the opportunity to spread the word of my campaign platform. I truly feel that the items I purchased successfully served this purpose. I weighed my odds for winning and as a Green Independent my chances of winning an election were slim to none, especially when running against a two-time incumbent, which was the case in my district's election. I was honest with myself about this closer and closer to the election, examining statistics, and as a result I realized truthfully that I most likely would not prevail. With this notion in mind, I decided that I did not want to use all of my funds, and I respect the MCEA to such an extent, that I only spent roughly half of my allotted funds, so I could return the rest. Getting corporate and special interest funds out of politics is vital to our future as a country. Being aware of the state of our environment needs to be addressed and acted significantly upon, and thus my reasoning for purchasing only reusable items.

Under the codes for filing expenditures, "LIT" states that t-shirts, pens, caps, etc. are acceptable items. I felt that reusable water bottles, shopping bags and sweatshirts (as Maine gets cold come October, the most crucial part of the campaign) that the latter three items aforementioned would be acceptable purchases with the MCEA funds. In no way shape or form would I ever have purchased these items had I felt that the commission deemed them outside the guidelines, or that I felt they were outside the guidelines and that they did not have a legitimate purpose for my campaign. I obviously overlooked the specification of no sweatshirts, that Mr. Wayne informed me of during a phone discussion after the election. The water bottles were an effective way of promoting my campaign and spoke for themselves as a way of communicating my platform, to be environmentally aware. I am an honest person. I value Maine as being on the forefront of advocating the importance of clean elections, and this is something I deeply respect. The idea of being penalized for an honest oversight of guidelines and the honest intention of using reusable items as campaign tools is plaguing me. I apologize whole-heartedly. I hope that you will take time to deeply consider my explanation and reasoning. I thank you for your time, and I look forward to discussing this matter with you in person.

Warm Regards,

A handwritten signature in cursive script that reads "Paige K Brown". The signature is written in dark ink and is positioned above the printed name.

Paige K Brown

**RECEIPT**

Number: 4755179  
Date: 2014-10-16  
Balance Due: \$0.00

Order Placed	Artwork Completed	Order Shipped	Shipper / Tracking No.
09/24/2014	09/24/2014	10/02/2014	UPS/1ZA03R690324656845

**Bill to:** PAIGE K. BROWN  
PO BOX 42  
BELFAST, ME 04915  
207-649-4128

**Ship to:** PAIGE Brown  
317 BANGOR RD  
BENTON, ME 04901-3736  
207-649-4128

**Contact:** PAIGE BROWN  
GREENPARTYPAIGE@GMAIL.COM  
207-649-4128

Design	Screenprinting	Item	Size/Quantity	Subtotal
expensive	1 color front 0 color back	Comfort Colors Crewneck Sweatshirt — Willow	S: 7, M: 10, L: 8	\$ 986.00
		Gildan 100% Cotton T-shirt — Antique Irish Green	S: 2, M: 5, L: 10 XS: 4, S: 8, M: 7, L: 5	
		Next Level Ladies Tri-Blend Racerback Tank — Envy		
			Total: 66	

Tax: \$ 0.00

Total: \$ 986.00

Amount Paid(Credit Card): \$ -986.00

**Balance Due: \$ 0.00**

Please send payment to:

**CustomInk**  
**PO Box 791253**  
**Baltimore, MD 21279-1253**  
**Attn: Accounts Receivable**

If you have any questions, please call 866-485-8160.

Thank you for placing your order with CustomInk. We appreciate your business and look forward to serving you again.







**CustomInk**  
2910 District Avenue | Fairfax, VA 22031

**RECEIPT**

Number: 4755191  
Date: 2014-10-16  
Balance Due: \$0.00

Order Placed 09/24/2014    Artwork Completed 09/24/2014    Order Shipped 10/02/2014    Shipper / Tracking No. UPS/1Z714E350316335643

**Bill to:** PAIGE K. BROWN  
PO BOX 42  
BELFAST, ME 04915  
207-649-4128

**Ship to:** PAIGE Brown  
317 BANGOR RD  
BENTON, ME 04901-3736  
207-649-4128

**Contact:** PAIGE BROWN  
GREENPARTYPAIGE@GMAIL.COM  
207-649-4128

Design	Screenprinting	Item	Size/Quantity	Subtotal
greenpahty	1 color front	25 oz. Aluminum Water Bottle —	Quantity: 80	\$ 600.00
	0 color back	Line		
			Total: 80	
				Tax: \$ 0.00
				Total: \$ 600.00
				Amount Paid(Credit Card): \$ -600.00

Balance Due: \$ 0.00

Please send payment to:

**CustomInk**  
PO Box 791253  
Baltimore, MD 21279-1253  
Attn: Accounts Receivable

If you have any questions, please call 866-485-8160.

Thank you for placing your order with CustomInk. We appreciate your business and look forward to serving you again.



Commission on Governmental Ethics and Election Practices  
Mail: 135 State House Station, Augusta, Maine 04333  
Office: 45 Memorial Circle, Augusta, Maine  
Website: [www.maine.gov/ethics](http://www.maine.gov/ethics)  
Phone: 207-287-4179  
Fax: 207-287-6775

## 2014 CAMPAIGN FINANCE REPORT

### FOR MCEA CANDIDATES

COMMITTEE		TREASURER
PAIGE K BROWN PO BOX 42 BELFAST, ME 04915 PHONE: (207) 649-4128 EMAIL: PAIGEBROWN@GMAIL.COM		MR. ERIC R BROWN 317 BANGOR RD BENTON, ME 04901 PHONE: (207) 453-8149 EMAIL: ERICRBROWN44@GMAIL.COM
REPORT	DUE DATE	REPORTING PERIOD
11-DAY PRE-GENERAL	10/24/2014	09/17/2014 - 10/21/2014

### FINANCIAL ACTIVITY SUMMARY

CASH ACTIVITY		
	TOTAL FOR THIS PERIOD	TOTAL FOR CAMPAIGN
1. CASH BALANCE FROM LAST REPORT	\$4,633.00	
2. SEED MONEY CONTRIBUTIONS	\$0.00	\$500.00
3. MAINE CLEAN ELECTION ACT PAYMENTS & AUTHORIZATIONS	\$0.00	\$5,209.75
4. SALE OF CAMPAIGN PROPERTY (SCHEDULE E, PART 2)	\$0.00	\$0.00
5. OTHER CASH RECEIPTS (INTEREST, ETC.,)	\$0.00	\$0.00
6. MINUS EXPENDITURES (SCHEDULE B)	\$2,235.10	\$3,311.85
7. CASH BALANCE AT CLOSE OF PERIOD	\$2,397.90	
OTHER ACTIVITY		
8. IN-KIND SEED MONEY CONTRIBUTIONS	\$0.00	\$0.00
9. TOTAL UNPAID DEBTS AT CLOSE OF PERIOD (SCHEDULE D)	\$0.00	

I, MR. ERIC R BROWN, CERTIFY THAT THE INFORMATION CONTAINED IN THIS REPORT IS TRUE, ACCURATE, AND COMPLETE TO THE BEST OF MY KNOWLEDGE.

REPORT FILED BY: MR. ERIC R BROWN  
REPORT FILED ON: 10/23/2014  
LAST MODIFIED: 10/23/2014  
PRINTED: 12/04/2014  
COMMITTEE ID: 7291

**SCHEDULE B  
EXPENDITURES**

EXPENDITURE TYPES				
CNS	Campaign consultants	POL	Polling and survey research	
CON	Contribution to other candidate, party, committee	POS	Postage for U.S. Mail and mail box fees	
EQP	Equipment (office machines, furniture, cell phones, etc.)	PRO	Other professional services	
FND	Fundraising events	PRT	Print media ads only (newspapers, magazines, etc.)	
FOD	Food for campaign events, volunteers	RAD	Radio ads, production costs	
LIT	Print and graphics (flyers, signs, palmcards, t-shirts, etc.)	SAL	Campaign workers' salaries and personnel costs	
MHS	Mail house (all services purchased)	TRV	Travel (fuel, mileage, lodging, etc.)	
OFF	Office rent, utilities, phone and internet services, supplies	TVN	TV or cable ads, production costs	
OTH	Other	WEB	Website design, registration, hosting, maintenance, etc.	
PHO	Phone banks, automated telephone calls			

DATE OF EXPENDITURE	PAYEE	REMARK	TYPE	AMOUNT
9/24/2014	CUSTOM INK 2910 DISTRICT AVENUE FAIRFAX, VA 22031	T-SHIRTS & SWEATSHIRTS WITH NAME AND CAMPAIGN INFO PRINTED ON THEM	LIT	\$986.00
9/24/2014	CUSTOM INK 2910 DISTRICT AVENUE FAIRFAX, VA 22031	BASEBALL CAPS WITH NAME AND CAMPAIGN INFO PRINTED ON THEM	LIT	\$260.10
9/24/2014	CUSTOM INK 2910 DISTRICT AVENUE FAIRFAX, VA 22031	REUSABLE ALUMINUM WATER BOTTLES WITH NAME AND CAMPAIGN INFO PRINTED ON THEM	LIT	\$600.00
10/16/2014	TRILLIUM EVENTS, INC. 31 PENDLETON STREET BELFAST, ME 04915	FOOD FOR CAMPAIGN VOLUNTEERS	FOD	\$389.00
<b>TOTAL EXPENDITURES FOR CANDIDATE:</b>				<b>\$2,235.10</b>